

Kevin H. Sharp

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	No: 3:12-cr-00048
)	
v.)	
)	Judge Sharp
RICHARD OLIVE)	

RENEWED MOTION TO ALLOW DEFENDANT TO PROCEED IN FORMA PAUPERIS

Defendant Richard Olive, through his undersigned counsel, renews his Motion for an order from this Court allowing him to proceed *in forma pauperis* for the purpose of having a CJA attorney appointed by the 6th Circuit for Mr. Olive's appeal. As grounds, Mr. Olive states as follows.

1. On September 9, 2013, the Court denied Mr. Olive's Motion to Proceed *In Forma Pauperis* with leave to re-file to explain why his wife, Susan Olive has no income.

2. Attached as Exhibit 1 hereto is the financial affidavit of Richard and Susan Olive (on the Middle District of Tennessee form) showing their assets and income. Specific to the Court's questions about Mrs. Olive, her monthly income from the operation of her business ranges from \$0 to \$2,000 per month, depending on the success of her store that month. (Ex. 1 at p.1 & p. 5) In addition, the Olives receive rental income from a house owned in Tallahassee. The net income (rent less the mortgage) for the rental property is \$132.00. (Ex. 1 at p.1) The Olives have zero to negative equity in the Tallahassee house, as they value it at \$400,000 with a mortgage balance of \$405,000. (Ex. 1 at p. 3)